



General Assembly

February Session, 2012

**Raised Bill No. 5324**

LCO No. 1438

\*01438 \_\_\_\_\_ KID\*

Referred to Committee on Select Committee on Children

Introduced by:  
(KID)

**AN ACT CONCERNING CHILD SAFETY BY RESTRICTING THE  
PLACEMENT OF LEGHOLD TRAPS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-72 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) The commissioner may, after notice and public hearing  
4 conducted in the manner prescribed by section 26-67, issue regulations  
5 governing and prescribing the taking of all species of fur-bearing  
6 animals by use of traps within the state. Such regulations may (1)  
7 establish the open and closed seasons, (2) establish the legal hours, (3)  
8 prescribe the legal methods that may be used, including size, type and  
9 kind of traps and the type and kind of bait and lures, (4) designate the  
10 places where traps may be placed and set and the conditions under  
11 which the placing and setting of traps will be legal, (5) establish the  
12 daily bag limit and the season bag limit, and (6) assess a reasonable fee,  
13 or develop a comparable equitable plan, for season trapping rights on  
14 state-owned property. Assignment of such rights for specific areas may  
15 be determined by drawing or by the order in which requests therefor  
16 are recorded as received in the office of the commissioner when there

17 is a set fee for such areas, or the method of high bid may be used.

18 (b) No person shall set, place or attend any trap upon the land of  
19 another without having in such person's possession the written  
20 permission of the owner or lessee of such land, or such owner's or  
21 lessee's agent, and no person shall set, place or attend any trap not  
22 having the name of the person using such trap legibly stamped  
23 thereon or attached thereto, provided the owner or legal occupant of  
24 such land or such person as such owner or legal occupant designates  
25 may set, place or attend any legal steel trap in any place within a  
26 radius of one hundred feet of any permanent building located on such  
27 land. No person who sets, places or attends any trap shall permit more  
28 than twenty-four hours to elapse between visits to such trap, except  
29 that if such twenty-four-hour period expires before sunset, the person  
30 who set such trap shall have until sunset to visit the trap. Any person  
31 who sets, places or attends any trap shall report each incident of the  
32 trapping of a nontarget animal to the Department of Energy and  
33 Environmental Protection within twenty-four hours. No person shall  
34 place, set or attend any snare, net or similar device capable of taking or  
35 injuring any animal. As used in this subsection, "nontarget" animal  
36 means an animal of a species not intended to be taken.

37 (c) No person shall place any leghold trap on or within one  
38 thousand five hundred feet of the real property comprising a public or  
39 private elementary or secondary school, licensed child day care center,  
40 as defined in section 19a-77, that is identified as a child day care center  
41 by a sign posted in a conspicuous place, state park, municipal park,  
42 municipal playground, public boat launch, public road, public  
43 highway, roadside rest area, public picnic area, public campground,  
44 blazed trail or state hiking trail. As used in this subsection, "leghold  
45 trap" means a device designed to close on the foot or leg of an animal  
46 with sufficient force to hold the animal until the person tending the  
47 trap returns, and includes, but is not limited to, a steel jawed leghold  
48 style trap that is either padded or unpadded. Nothing in this  
49 subsection shall prevent any person duly authorized by the

50 Department of Energy and Environmental Protection from setting a  
51 leghold trap within one thousand five hundred feet of such areas listed  
52 in this subsection to control nuisance wildlife.

53 (d) The pelt of any fur-bearing animal legally taken may be  
54 possessed, sold or transported at any time. Upon demand of any  
55 officer having authority to serve criminal process or any representative  
56 of the Department of Energy and Environmental Protection, any  
57 person in possession of any such pelt shall furnish to such officer or  
58 such representative satisfactory evidence that such pelt was legally  
59 taken or acquired.

60 (e) No provision of this section shall be construed as prohibiting any  
61 landowner or lessee of land used for agricultural purposes or any  
62 citizen of the United States, or any person having on file in the court  
63 having jurisdiction thereof a written declaration of such person's  
64 intention to become a citizen of the United States, who is regularly  
65 employed by such landowner or lessee, from pursuing, trapping and  
66 killing at any time any fur-bearing animal, except deer, which is  
67 injuring any property, or the owner of any farm or enclosure used for  
68 breeding or raising any legally acquired fur-bearing animal who has a  
69 game breeder's license issued by the commissioner or a fur breeder's  
70 license issued by the Department of Agriculture, from taking or killing  
71 any such animal legally in his or her possession at any time or having  
72 in possession any pelt thereof.

73 (f) No person shall molest, injure or disturb any muskrat house or  
74 den at any time.

75 (g) Any fur-bearing animal legally taken alive may be possessed by  
76 the person taking the animal, provided the person shall notify the  
77 commissioner in a writing signed by the person stating the species and  
78 sex of such animal, the date and the name of the town where such  
79 animal was taken and the specific address where such animal will be  
80 kept. Any representative of the department may at any time inspect  
81 such animal and the enclosure or other facilities used to hold such

82 animal and make inquiry concerning the diet and other care such  
83 animal should have and if, in the opinion of the commissioner or such  
84 representative, such animal is not being provided adequate or proper  
85 facilities or care, such animal may be seized by such representative of  
86 the department and be disposed of as determined by the  
87 commissioner. Fur-bearing animals taken alive, as provided in this  
88 section, shall not be sold or exchanged, provided the person who  
89 legally possesses such animal may apply to the commissioner for a  
90 game breeder's license or to the Department of Agriculture for a fur  
91 breeder's license and when so licensed such person may breed such  
92 animal and the progeny thereof, and such issue when three  
93 generations removed from the wild may be sold or exchanged alive or  
94 dead.

95     (h) Any trap illegally set and any snare, net or similar device found  
96 placed or set in violation of the provisions of this section shall be  
97 seized by any representative of the department and, if not claimed  
98 within twenty-four hours, the commissioner may order such trap,  
99 snare, net or other device destroyed, sold or retained for use by the  
100 commissioner.

101     (i) Any person who violates any provision of this section, or any  
102 regulation issued by the commissioner shall be fined not more than  
103 two hundred dollars or be imprisoned not more than sixty days, or  
104 both.

105     (j) Whenever any person is convicted, or forfeits any bond, or has  
106 such person's case nulled upon the payment of any sum of money, or  
107 receives a suspended sentence or judgment for a violation of any of the  
108 provisions of this section or any regulation issued hereunder by the  
109 commissioner, all traps used, set or placed in violation of any such  
110 provisions or any such regulation may, by order of the trial court, be  
111 forfeited to the state and may be retained for use by the department or  
112 may be sold or destroyed at the discretion of the commissioner. The  
113 proceeds from any such sale shall be paid to the State Treasurer and

114 the State Treasurer shall credit such proceeds to the General Fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	26-72

**Statement of Purpose:**

To restrict the placement of leghold traps within one thousand five hundred feet of areas where children are likely to encounter such devices.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*